



UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 25 2005

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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James F. Haley, Jr.
1251 Avenue of the Americas
New York NY 10020-1104

Re: Patent Term Extension
Application for
U.S. Patent No. 5,258,494

Dear Mr. Haley:

A certificate under 35 U.S.C. § 156 is enclosed extending the term of U.S. Patent No. 5,258,494 for a period of 1,525 days. While a courtesy copy of this letter is being forwarded to the Food and Drug Administration (FDA), you should directly correspond with the FDA regarding any required changes to the patent expiration dates set forth in the Patent and Exclusivity Data Appendix of the Orange Book (Approved Drug Products with Therapeutic Equivalence Evaluations) or in the Patent Information set forth in the Green Book (FDA Approved Animal Drug Products). The sample format for submitting information regarding the patent and the patent expiration date to the Orange Book is available on the FDA Internet web site at: <http://www.fda.gov/cder/orange/patdecl.pdf>.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-7744.

Karin Ferriter
Senior Legal Advisor
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy

cc: Office of Regulatory Policy
HFD - 13
5600 Fishers Lane
Rockville, MD 20857

Attention: Claudia Grillo

RE: OP-1® IMPLANT
FDA Docket No.: 02E-0147

UNITED STATES PATENT AND TRADEMARK OFFICE

(12) CERTIFICATE EXTENDING PATENT TERM UNDER 35 U.S.C. § 156

(68) PATENT NO. : 5,258,494
(45) ISSUED : November 2, 1993
(75) INVENTOR : Hermann Oppermann, et al.
(73) PATENT OWNER : Stryker Corporation
(95) PRODUCT : OP-1® IMPLANT


This is to certify that an application under 35 U.S.C. § 156 has been filed in the United States Patent and Trademark Office, requesting extension of the term of U.S. Patent No. 5,258,494 based upon the regulatory review of the product OP-1® IMPLANT by the Food and Drug Administration. Since it appears that the requirements of the law have been met, this certificate extends the term of the patent for the period of

(94) 1,525 days

from November 2, 2010, the original expiration date of the patent, subject to the payment of maintenance fees as provided by law, with all rights pertaining thereto as provided by 35 U.S.C. § 156(b).



I have caused the seal of the United States Patent and Trademark Office to be affixed this 17th day of May 2005.


Jon W. Dudas
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office